

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILEDfor the
Southern District of Texas

OCT 31 2018

United States of America
v.
Oscar Manuel HERNANDEZ-Alcantar
COB: Mexico
YOB: 1987

David J. Bradley, Clerk

Case No.

M-18-2241-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 10/29/2018 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841

did knowingly and intentionally possess with the intent to distribute approximately 2.48 kilograms of cocaine and 5.62 kilograms of methamphetamine, both Schedule II controlled substances.

21 USC 952

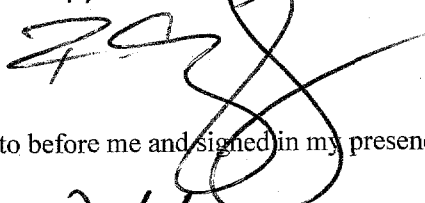
did knowingly and intentionally import with the intent to distribute approximately 2.48 kilograms of cocaine and 5.62 kilograms of methamphetamine, both Schedule II controlled substances.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.

Approved by



Complainant's signature

Tanner Fullmer, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

October 31, 2018 8:26am

City and state:

McAllen, Texas

Judge's signature

Peter E Ormsby
U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

On October 29, 2018, Oscar Manuel HERNANDEZ-Alcantar (Mexican National) while driving a vehicle applied for admission into the United States (US) at the Pharr, Texas, Port of Entry (POE).

A primary Customs and Border Protection Officer (CBPO) obtained a negative declaration for drugs and other items from HERNANDEZ-Alcantar, who stated he was coming to the US to go shopping at Walmart and had owned the vehicle for three months. HERNANDEZ-Alcantar was referred to secondary inspection.

At secondary, a CBPO obtained a negative declaration for drugs and other items from HERNANDEZ-Alcantar, who stated he was coming to the US to go shopping at Walmart and was the owner of the vehicle.

A CBP K-9 alerted to the odor of controlled substances in the rocker panels of the vehicle.

A subsequent Z-Portal scan indicated anomalies in the rocker panel of both the driver and passenger sides of the vehicle.

CBP advised HERNANDEZ-Alcantar entered the US via the Pharr, TX POE on 10/19/2018 and similar anomalies were not observed.

CBPO's extracted 12 bricks wrapped with brown cellophane tape from the rocker panels of the vehicle. Two bricks weighing approximately 2.48 kilograms contained a white powdery substance that field tested positive for cocaine and 10 bricks weighing approximately 5.62 kilograms field tested positive for methamphetamine.

On October 29, 2018, Homeland Security Investigations (HSI) Special Agents (SA) Tanner Fullmer and Ali Muhiuddin along with HSI Task Force Officer (TFO) Edgardo Reynoso interviewed HERNANDEZ-Alcantar. HERNANDEZ-Alcantar was provided his Miranda rights in writing and agreed to answer questions without the presence of an attorney and stated the following in summary:

HERNANDEZ-Alcantar came to the U.S. to purchase camping chairs and tennis shoes at Academy Sports in Pharr, TX. HERNANDEZ-Alcantar purchased the vehicle approximately a month ago and is the only person with keys and control over it. HERNANDEZ-Alcantar wife and daughter were the only individuals that knew he was coming to the US. HERNANDEZ-Alcantar visits the U.S. frequently to shop and donate plasma.

After being advised that narcotics were found in his vehicle, HERNANDEZ-Alcantar denied any prior knowledge of narcotics inside his vehicle. HERNANDEZ-Alcantar was asked if anyone else had been in possession of his vehicle. HERNANDEZ-Alcantar initially stated that no one had been in possession of his vehicle.

HERNANDEZ-Alcantar then recanted his previous statement and advised he had dropped off his vehicle to a car mechanic in Mexico on several occasions including prior to entering the US on 10/29/18. HERNANDEZ-Alcantar stated he did not know the name of the car mechanic.

HERNANDEZ-Alcantar indicated he was aware that narcotics are smuggled into the US via many methods, including in vehicles.